



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

CHRISTENSEN, O'CONNOR, JOHNSON, KINDNESS, PLLC
1420 FIFTH AVENUE
SUITE 2800
SEATTLE WA 98101-2347

COPY MAILED

NOV 02 2006

OFFICE OF PETITIONS

In re Application of
William Burton Hall
Application No. 10/648,851
Filed: August 26, 2003
Attorney Docket No. KCOS122355

ON PETITION

This is a decision on the petition under 37 CFR §1.137(a) to revive the above-identified application, filed August 18, 2006. This petition will be treated as a petition to withdraw the holding of abandonment pursuant to 37 CFR 1.181.

The petition to withdraw the holding of abandonment is **GRANTED**.

The petition under 37 CFR 1.137(a) is **DISMISSED AS MOOT**.

This application became abandoned for failure to timely submit a response to the non-final Office Action mailed May 27, 2005. The Notice set an extendable 3 month period for reply. No extensions of time pursuant to 37 CFR 1.136(a) were obtained. Accordingly, this application was held abandoned on August 28, 2005. A Notice of Abandonment was mailed on August 4, 2006.

Petitioner asserts that the non-final Office Action mailed on May 27, 2005 was never received. A review of the record indicates the non-final Office Action was mailed to an incorrect correspondence address. Further review shows a power of attorney or authorization of agent which included a request for change of correspondence was submitted on March 9, 2004. Thus the Office Action was improperly mailed.

The petition fee in the amount of \$500.00 will be refunded.

This application is being forwarded to Art Unit 3728 for review of the amendment submitted August 18, 2006. The re-mailing of the non-final Office Action is not required.

Telephone inquiries concerning this matter should be directed to the undersigned at (571) 272-3215.

A handwritten signature in black ink, appearing to read "Charlema R. Grant". The signature is fluid and cursive, with the first name "Charlema" being more prominent than the last name "Grant".

Charlema R. Grant

Petitions Attorney

Office of Petitions